Serial No. 09/930,160
Reply to Office Action of November 17, 2005

REMARKS/ARGUMENTS

Prior to this Amendment, claims 1, 3-7, 9-13, 15-18, and 21-35 were pending in the application.

Claim 1 is amended to include the limitations of dependent claims 5 and 35, which are cancelled by this Amendment, to further distinguish the claimed method from those shown by the cited references. It should be noted that these amendments are being made to expedite allowance and not due to the teachings of the newly cited reference. No new matter is added by these amendments to claim 1.

Claims 1, 3, 4, 6, 7, 9-13, 15-18, and 21-34 remain for consideration by the Examiner.

In the Office Action of August 19, 2005, the Examiner withdrew prior rejections of the claims that were based on the combined teaching of U.S. Pat. No. 6,163,781 ("Wess") and U.S. Pat. No. 6,363,388 ("Sprenger"). However, the two pending independent claims and a number of the dependent claims were then rejected in that Office Action by the Examiner who replaced Sprenger's teaching with that of U.S. Pat. Appl. Publ. No. US 2002/0133510 ("Lau"). The remaining claims were rejected under the combined teachings of Wess, Lau, and Sprenger.

With the most recent Office Action of November 17, 2005, the Examiner has issued another non-final Office Action. In this action, the Examiner withdrew prior rejections of the claims that were based on Wess and Sprenger and performed another search. The Examiner has basically withdrawn Lau as a reference in response to Applicants' prior response and has replaced Lau with the teaching of U.S. Pat. No. 5,899,998 ("McGauley").

Claim Rejections under 35 U.S.C. §103

In the November 17, 2005 Office Action, claims 1, 3, 4, 7, 11, 21, 28, and 30-35 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wess in view of McGauley. The rejection of the claims is traversed based on the following remarks. The initial portion of the discussion presents arguments from the last two Amendments that distinguish Wess from the method of claim 1. These arguments

Serial No. 09/930,160
Reply to Office Action of November 17, 2005

are still relevant, with new discussion in this response provided to address the newly-cited McGauley (i.e., does McGauley overcome the deficiencies of Wess with reference to claim 1 as these deficiencies were not overcome by previously cited Sprenger or Lau).

As noted in para. [0003] of the application and the prior Amendments, the invention is addressing the problems associated with prior E-commerce systems in which a database loader was used to load information but only in the form of tables. With reference to para. [0036], the invention uses an import/export utility, that knows nothing of the E-commerce system, <u>to deliver information from an external data file to a business object that does the "real work"</u> such as performing <u>tasks including adding, deleting, or updating the data (see, for example, claim 35)</u>. The changes in the data can be performed without requiring the business object to be changed. As shown in Fig. 1, the import/export utility communicates with the business object and gathers the imported file and provides a database that is used during the processing of the import file data by the business object. In this manner, the business object is able to import/export data, such as with relation to an E-commerce system, without use of a standard database loader and, hence, to load data not in the form of a table.

With this background in mind, claim 1 is directed to a method of processing data with a utility, and the method includes selecting a file that includes a name of a business object, uploading the file to a server, storing file data in a database of the utility, delivering the data to the business object, and performing a task on the data with the business object. As amended, the method of claim 1 also calls for the business object to code to provide an interface to support an export operation and the task performed by the business object to include adding, deleting, or updating of the data delivered to the business object. The combination of Wess and McGauley fail to teach or suggest all of these elements. Hence, the rejection of claim 1 is improper and should be withdrawn.

More specifically, the Office Action cites Wess at col. 6, lines 11-14, col. 6, lines 16-29 and 53-57, and col. 13, lines 3-10 for teaching selecting a file that

Serial No. 09/930,160
Reply to Office Action of November 17, 2005

includes a name of a business object. Applicants disagree with this construction of Wess. Wess at col. 2, lines 30-40 makes it clear that its method is addressing problems associated with having a database with many null data values, and beginning at line 6, col. 4, Wess provides a brief summary of its method that uses a table of defined variable symbols and comparing operations to try to reduce the amount of null data values in its relational databases. Hence, Wess is addressing a different problem than Applicants and uses a different technique to address that problem.

In the cited col. 6, lines 16-29, Wess is describing the converting data received at a network interface 112 including "textually-based data objects" into formats expected by the system, but at this citation and elsewhere, Wess fails to teach <u>selecting</u> a file that has a business object <u>name</u> in the file. This named object is then used to perform processing on the data of the file, and Wess fails to suggest that its "data objects" are business objects as defined by Applicants. For at least this reason, claim 1 is allowable over Wess. The Office Action does not address Applicants' arguments, which were provided in the Amendment filed with the RCE, and as a result, even if McGauley were to overcome the deficiencies that are admitted by the Examiner, it must also overcome this problem, but it does not as discussed below.

The August 19, 2005 and November 17, 2005 Office Actions indicate that Wess fails to teach "starting a session, a business object, delivering the data to the business object corresponding to the name uploaded to the server, with the business object, performing a task on the delivered data, the task performing including invoking a code included in the business object."

Due to these deficiencies in Wess, the November 17, 2005 Office Action cites McGauley for teaching each of these limitations of claim 1 that are not found in Wess. Specifically, the following discussion stresses how McGauley fails to teach or suggest the data delivering step and the performing a task on the delivered data with the business object step. Hence, in addition to Wess failing to show the

Serial No. 09/930,160
Reply to Office Action of November 17, 2005

file selecting step as discussed above, McGauley fails to overcome the other deficiencies of Wess.

McGauley is cited as teaching business objects (at "update objects 240; col. 8, line 60-col. 9, line 21"), delivering the data to the business object corresponding to the name uploaded to the server (at "the data model...tags attached; col. 11, lines 60-62), performing a task on the delivered data (at "The update type...new record object; col. 9, lines 46-52), and also where the task performing includes invoking a code in the business object (at "the update object...audit fields 247; col. 9, lines 14-21). Applicants disagree with this construction of McGauley.

The "updated objects" in McGauley are data files or data objects that are passed throughout a network to allow a patient's medical records to be kept within a portable data carrier (PDC) or smart card and/or at databases at service providers (point-of-service (POS) stations). A good summary of the McGauley method is provided from col. 3, line 61 to col. 4, line 51. In this description, it can be seen that "data is transmitted via 'update objects'" in "traditional telecommunication channels." The "core of each update object is an element of information or an item of data that has been generated by a medical transaction at a POS station" (such as an X-ray report or a laboratory test result. "Tags" are provided in the update objects and "rule sets" are provided in the system to "guide each update object to its targeted PDC, POS and administrative databases."

Hence, the "objects" discussed in McGauley are data objects that are passed throughout a medical data system, and McGauley teaches using tags in the objects and rules at the POS for making sure that the objects are passed to the correct or proper devices (smart cards carried by the patients and databases maintained at POS stations). However, the update objects do not teach the business objects of claim 1, and their teaching does not overcome the various shortcomings of Wess.

Specifically, the update objects and their handling and configuration (including the "tags" and the rule sets spread over a system) do not teach the method of claim 1, which includes selecting a file that includes a name of a business object (i.e., where does McGauley teach this – as it teaches passing the

Serial No. 09/930,160
Reply to Office Action of November 17, 2005

update objects about a system and does not teach retrieving the name of the update object from a selected file) delivering the data to the business object (the update objects are or include the data so data is not delivered to them except for modifications to update the patient records), and performing a task on the data with the business object (again, the update objects are or include the data and any processing of the data is done by an application at the POS or device from which the PDC is access the system). Further, as amended, the method of claim 1 also calls for the business object to code to provide an interface to support an export operation, which is not taught by the update objects, and the task performed by the business object include adding, deleting, or updating of the data delivered to the business object, which is not shown by the update object (which carry the data elements but do not perform these tasks). For these reasons, McGauley does not overcome the deficiencies in Wess, and the combined teachings of these two references does not make the method of claim 1 obvious.

Claims 3, 4, 7, 11, 21, 28, 30-32, and 34 depend from claim 1 and are believed allowable as depending from an allowable base claim. Further, claim 34 calls for the business object to perform validation after receiving the data, and this limitation is not shown or suggested by the cited references. In the prior Office Action in rejecting claim 14, the Examiner admitted that Wess fails to teach the business object being responsible for validating the data in the selected file but cited Sprenger at col. 14, lines 59-65 as providing this teaching. In the prior Office Action, however, the Examiner changed the construction of Wess and cited col. 8, lines 46-60 of Wess for teaching the validation with the business object. But, at this citation, Wess discusses use of a comparator comparing value attributes but as noted above this comparator is not provided in a business object to which data is delivered. Therefore, Wess fails to teach the validation with the business object. For these additional reasons, claim 34 is not shown or suggested by Wess and McGauley.

Independent claim 33 is directed to a method of loading information to a network application and includes steps of operating a utility to invoke a business

WDC - 00168/0240 - 163133 v1   11

Serial No. 09/930,160
Reply to Office Action of November 17, 2005

object associated with a business object name from an import file. In the method of claim 33, the business object performs an operation on data delivered by the utility and the method further includes updating the data in a utility database based on the performance of the operation of the invoked business object. The operating of the utility to invoke the business object and the updating of the data steps are similar to limitations presented in claim 1, and the reasons for allowing claim 1 over the combined teaching of Wess and McGauley are believed applicable to claim 33.

More specifically, Wess fails to teach receiving a selection of an import file that includes a name of a business object. This named business object is then used to perform processing on the data of the file, and Wess fails to suggest that its "data objects" are business objects as defined by Applicants and the Examiner's prior Response to Argument in the final Office Action before filing of an RCE confirmed that Wess only teaches data objects (see, fourth paragraph of Response to Arguments). For at least this reason, claim 33 is allowable over Wess. Further, as discussed with reference to claim 1, McGauley does not overcome the deficiencies of Wess, and particularly, provides no teaching of the uploading, operating, and updating steps of claim 33 that involve the business object. Hence, Wess and McGauley do not support a rejection of independent claim 33.

Additionally, in the Office Action, claims 5, 6, 9, 10, 12, 13, 15-18, 22-27, and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wess in view of McGauley further in view of Sprenger. This rejection is traversed based on the following remarks.

Claims 6, 9, 10, 12, 15-18, 22-27, and 29 depend from claim 1 and are believed allowable over Wess and McGauley for the reasons provided above for claim 1. Sprenger does not overcome the deficiencies in Wess and McGauley discussed with reference to claim 1, and hence, these claims are believed allowable as depending from an allowable base claim.

As discussed in the previously-filed Amendments, Sprenger in its Summary and elsewhere makes it clear that its method is a data management method that uses agents and minions (see, Sprenger at col. 8, line 60 and on for a discussion of

agents and minions) to perform various data management processes, but nowhere in Sprenger is it taught to perform an operation with a business object named in an import file on data uploaded to a database by a utility. At the cited portions of Sprenger, the use of objects is described but there is no teaching of a utility uploading a file and then updating the data based on the performance of the operation by the invoked business object.

For example, Sprenger at col. 5, lines 1-15 teaches that objects can be instantiated from an access layer by accessing the database and later saved to the database. Sprenger does not teach invoking a business object based on an import file and then, using the invoked business object to perform an operation on data in a utility database. For this reason, the pending claims are believed allowable over the combination of Wess and McGauley in further view of Sprenger.

Further, Sprenger at col. 14, lines 59-65 discusses operation of an "EventLogMinion" but this element does not perform validation of data and does not teach that the business object is named in the file providing the data. With this in mind, Sprenger also fails to teach the limitations of claim 1 including delivering the data to the business object and then performing a task on the data with the business object that changes the data.

Specifically, Wess fails to teach the use of business objects and at col. 14, lines 59-65, Sprenger states a minion "provides a central point of access for all advisory messages that need to be stored persistently in the database. The "events" in the log are descriptions of some event in time, such as the observed failure of a critical component, or the failure of a job stream to complete. The events stored in the log describe unusual conditions that require the attention of the user..." Applicants could find no suggestion in Sprenger of either delivering data from to the business object or that a task that changes the data is performed on the data by the business object. For these additional reasons, claim 1 is allowable over the combined teaching of Wess, McGauley, and Sprenger.

Serial No. 09/930,160
Reply to Office Action of November 17, 2005

Conclusions

In view of all of the above, the claims are believed to be allowable, and it is requested that a timely Notice of Allowance be issued in this case.

No fee is believed due with this submittal. However, any additional fees associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

<u>January 30, 2006</u>

Kent A. Lembke, No. 44,866
Hogan & Hartson LLP
One Tabor Center
1200 17th Street, Suite 1500
Denver, Colorado 80202
(720) 406-5378 Tel
(720) 406-5301 Fax